

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Shawn Clarke Spottswood,

Case No. 21-cv-2258 (WMW/LIB)

Petitioner,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

St. Croix County, WI; Interstate Compact
Ramsey Co.; and MN Adult Probation,
Susan Benson,

Respondents.

Before the Court is the October 14, 2021 Report and Recommendation (R&R) of then-United States Magistrate Judge Katherine M. Menendez, (Dkt. 3), and Petitioner Shawn Clarke Spottswood's motion for adequate representation, (Dkt. 5). No objections to the R&R have been filed.¹ In the absence of timely objections, this Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R, the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED:**

1. The October 14, 2021 R&R, (Dkt. 3), is **ADOPTED**.

¹ The Clerk of Court mailed the R&R to Spottswood's last known address, and the United States Postal Service returned the mailing as undeliverable. Spottswood has not provided an alternative address. It is a plaintiff's responsibility to provide updated contact information to ensure the timely receipt of case-related communications. *See Passe v. City of New York*, No. CV 02-6494, 2009 WL 290464, at *4 (E.D.N.Y. Jan. 5, 2009). The Court declines to postpone its decision until Spottswood updates his contact information.

2. Petitioner Shawn Clarke Spottswood's petition for a writ of habeas corpus, (Dkt. 1), is **DENIED**.

3. Petitioner Shawn Clarke Spottswood's application to proceed *in forma pauperis*, (Dkt. 2), is **DENIED AS MOOT**.

4. Petitioner Shawn Clarke Spottswood's motion for adequate representation, (Dkt. 5), is **DENIED AS MOOT**.

5. This action is **DISMISSED WITHOUT PREJUDICE**.

6. No Certificate of Appealability, 28 U.S.C. § 2253(c)(2), will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 7, 2022

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge